

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

Philip Jaax,)	
)	
Plaintiff,)	
)	
v.)	Civil Action Number
)	12-00719-CV-W-JTM
Facebook, Inc., et al.,)	
)	
Defendants.)	

ORDER

Pending before the Court is the motion of plaintiff Philip Jaax (“Jaax”) asking the Court to reconsider its prior order denying leave for Jaax to proceed *in forma pauperis*. When reviewing *in forma pauperis* petitions, the Court must make two separate determinations. First, the Court must determine whether the plaintiff is eligible for pauper status under 28 U.S.C. § 1915. Second, the Court must “screen” the complaint to determine whether it is frivolous, malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant immune from such relief pursuant to 28 U.S.C. § 1915(e)(2)(B). The determination of whether to grant or deny an *in forma pauperis* petition lies within the sound the discretion of the Court. *Higgins v. Steele*, 195 F.2d 366, 369 (8th Cir.1952). In this case, Jaax has not submitted sufficient evidence for the Court to conclude that he is eligible for pauper status. At best, the exhibit attached to Jaax’s motion to reconsider indicates the existence of two check cards, two credit accounts and a brokerage investment account under plaintiff’s name. This

information alone does nothing to cure the deficiency regarding plaintiff's eligibility for pauper status. Accordingly, after due consideration of the issues presented, it is

ORDERED that plaintiff's motion for reconsideration, filed July 19, 2012 [Doc. 5] is
DENIED

/S/ JOHN T. MAUGHMER
JOHN T. MAUGHMER
U. S. MAGISTRATE JUDGE